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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BELL, BOYD & LLOYD, LLC			VU, THANH T	
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2174

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/744,617

Applicant(s)

FLEISCHER ET AL.

Examiner

Thanh T. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claim 4 is objected to because of the following informalities:

Claim 4, line 6, "hierarchic system" is grammatically incorrect. It should be – hierarchical system-- . Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 2, the phrase "a subsequent operation of said by an operator" renders the claim indefinite. The examiner assumes the applicant meant --a subsequent operation of said device by an operator--.

Claim 2, line 3, the phrase "said operating parameters to be set to said operator as standard values" renders the claim indefinite. The examiner assumes the applicant meant -- said operating parameters to be set by said operator as standard values--.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9 and 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Parks et al. ("Parks", U.S. Pat. No. 5,877,764).

Per claim 1, Parks teaches a method for commissioning a telecommunication terminal device, comprising the steps of:

providing an input mechanism for said device (fig. 1; col. 5, lines 30-50); and
setting operating parameters for a subsequent operation of said device by an operator via said input mechanism at said device, assisted by an automatic input assistant that automatically guides said operator through said setting of said operating parameters (figs. 6, 8, 10; col. 12, lines 13-22 and lines 36-43; col. 18, lines 1-14; col. 11, lines 19-30; col. col. 14, lines 20-38; col. 18, lines 42-60).

Per claim 2, Parks teaches the method according to claim 1, further comprising the step of:

presenting values that have been already previously set for said operating parameters to be set to said operator as standard values (figs 6 and 8; col. 12, lines 36-42; col. 18, lines 14) and

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accepting or erasing, by said operator, said standard values by a corresponding actuation of said input mechanism, said erasing thus resetting said operating parameters (figs. 6 and 8; col. 12, lines 52-67).

Per claim 3, Parks teaches the method according to claim 1, further comprising the step of prompting, by said automatic input assistant, said operator to set said operating parameters with the assistance of input or selection masks that are presented on a display of said device (figs. 6, 8, and 10; col. 14, lines 20-38; col. 12, lines 36-67).

Per claim 4, Parks teaches the method according to claim 3, further comprising the steps of:

presenting, on said display, said input or selection masks of said automatic input assistant according to a predetermined hierarchical system (figs. 6, 8, and 10; col. 9, lines 18-25; col. 10, lines 35-45; col. 14, lines 20-38); and

presenting, on said display, other input or selection masks, depending on said input or selection of said operator upon presentation of an input or selection mask, according to said hierarchic system (figs. 6, 8, and 10; col. 12, lines 36-67).

Per claim 5, Parks teaches the method according to claim 4, further comprising the step of recalling, by said operator, a previously displayed input or selection mask based on a corresponding input (figs. 6, 8, and 10).

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Per claim 6, Parks teaches a telecommunication terminal device, comprising:

an input mechanism for an operator to set operating parameters of said device and a controller for supporting said operator in setting said operating parameters (fig. 1; col. 5, lines 30-50); and

an automatic input assistant that assists said controller in order to automatically guide said operator through setting said operating parameters (figs. 6, 8, 10; col. 12, lines 13-22 and lines 36-43; col. 18, lines 1-14; col. 11, lines 19-30; col. col. 14, lines 20-38; col. 18, lines 42-60).

Per claim 7, Parks teaches the telecommunication terminal device according to claim 6, further comprising a display for a presentation of input or selection masks controlled by said controller, by which said operator is prompted to set corresponding operating parameters by said input or selection masks (figs. 6, 8, 10; col. 12, lines 36-67; col. 14, lines 20-38).

Per claim 8, Park teaches the telecommunication terminal device according to claim 7, wherein said controller is configured to present said input or selection masks on said display according to a predetermined hierarchical system, so that, given presentation of a specific input or selection mask and dependent on an input or selection of said operator via said input mechanism, a new other input or selection mask predetermined by said hierarchical system is presented on said display (figs. 6, 8, and 10; col. 9, lines 18-25; col. 10, lines 35-45; col. 12, lines 36-67; col. 14, lines 20-38).

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Per claim 9, Parks teaches the telecommunication terminal device according to claim 7, wherein said controller is configured such that an input or selection mask that was already previously displayed is redisplayed on said display by said as a result of a corresponding input of said operator via said input mechanism (figs. 6, 8, 10; col. 12, lines 13-22).

Per claim 12, Park teaches the telecommunication terminal device according to claim 7, wherein said controller is configured such that, given presentation of an input or selection mask on said display, said controller displays values for corresponding operating parameters that were already previously set and offers these to said operator for acceptance (figs. 6, 8, 10; col. 12, lines 13-22 and lines 48-67).

Per claim 13, Parks the telecommunication terminal device according to claim 6, wherein said input mechanism comprises a keyboard of said telecommunication terminal device (fig. 1; col. 5, lines 30-50).

Per claim 14, Parks teaches the telecommunication terminal device according to claim 6, wherein said controller is configured such that, following a power-free condition of said device, said controller recognizes a connection or a reconnection of said device to a power supply and starts said automatic input assistant for setting said operating parameters (fig. 5, col. 8, lines 1-6; col. 11, lines 19-29).

Per claim 15, Parks teaches the telecommunication terminal device according to claim 14, wherein said controller is configured such that, when the automatic input assistant started, it presents an input or selection mask on said display with whose assistance said operator can confirm a continuation of setting said operating parameters or abort said setting of said operating parameters (figs 5-10; col. 12, lines 48-51).

Per claim 16, Parks teaches the telecommunication terminal device according to claim 6, is wherein said controller is configured so that a language of the input assistant, a current date and a current time of day, a type of connection of said device to a telecommunication network, an exchange code or a factor for charge calculation can be set as operating parameters with the assistance of said automatic input assistant (col. 11, lines 23-25; col. 12, lines 31-35; col. 20, lines 6-10; col. 8, lines 47-55).

Per claim 17, Parks teaches the telecommunication terminal device according to claim 16, wherein said telecommunication terminal device is a digital terminal device by which said controller is constructed such that said controller permits multiple telephone numbers of said telecommunication terminal device or suppression of a transmission of a telephone number of its own telecommunication terminal device to another party can be set with the assistance of said automatic input assistant (fig. 9; col. 19, lines 15-17).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over Parks et al. ("Parks", U.S. Pat. No. 5,877,764) in view of Benson (U.S. Pat. No. 6,104,800).

Per claim 10, Parks teaches the telecommunication terminal device according to claim 7, wherein said controller is configured such that it recognizes a call for said device and presents an input or selection mask on said display with whose assistance said operator can select a continuation of setting said operating parameters or an acceptance of said call via said input mechanism, said controller producing an abort of said setting of said operating parameters and of said input assistant given an input of said operator corresponding to call acceptance (fig. 6, 8-10; col. 6, lines 8-13; col. 19, lines 45-60; the examiner infers said controller producing an abort operation of said setting parameters and of said input assistant given an input of said operator corresponding to call acceptance is that when the handset 17 is lifted off or when the speaker button 28 is activated, DIAL menu 90 is automatically displayed in the workspace). Parks does not explicitly teach a call is a waiting call. Benson teaches a call waiting feature on the phone (col. 1, lines 25-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Benson in the invention of Parks in order to inform the user there is another call while the user is on the phone.

Per claim 11, Parks teaches the telecommunication terminal device according to claim 7, wherein said controller is configured to recognize a call for said device and automatically produces an abort of said setting of said operating parameters and of said input assistant in order to enable an acceptance of said call, said settings of operating parameters that have already been actuated by said operator remaining stored (fig. 6, 8-10; col. 6, lines 8-13; col. 19, lines 45-60; the examiner infers automatically produces an abort of said setting of said operating parameters and of said input assistant in order to enable an acceptance of said call, said settings of operating parameters that have already been actuated by said operator remaining stored is that when the handset 17 is lifted off or when the speaker button 28 is activated, DIAL menu 90 is automatically displayed in the workspace). Parks does not explicitly teach a call is a waiting call. Benson teaches a call waiting feature on the phone (col. 1, lines 25-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Benson in the invention of Parks in order to inform the user there is another call while the user is on the phone.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lincke et al. (U.S. Pat. No. 6,300,946) discloses method and apparatus for interacting with a portable computer.

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Kivela et al. (U.S. Pat. No. 6,052,070) discloses method for forming a character string, an electronic communication device and a charging unit for charging the electronic communication device.

Will (U. S. Pat. No. 5,825,353) discloses a method and apparatus for control of a handheld miniature personal digital assistant, based on a user interface with menu and thumbwheel.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (703)-308-9119. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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